

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 5691

IN THE MATTER OF:

Served September 3, 1999

BEST TRANSPORTATION SERVICES,)
INCORPORATED, Trading as BTS AIRPORT))
EXPRESS, Revocation of Certificate)
of Insurance and Investigation of)
Suspension and Revocation of)
Certificate No. 392)

Case No. MP-99-54

On August 6, 1999, Martens-Johnson Insurance Agency, Inc., filed a self-executed WMATC Certificate of Insurance and Policy Endorsement on behalf of respondent showing coverage in the amount of \$1.5 million and purporting to bind National Casualty Company, the issuer of the underlying policy.

On August 27, staff contacted National Casualty to confirm the authority of Martens-Johnson to sign policy endorsements on National Casualty's behalf. Staff was informed that Martens-Johnson did not have such authority but that London American General Agency, Inc., which had filed the WMATC Certificate of Insurance and Policy Endorsement that Martens-Johnson was attempting to replace, did have such authority. In fact, it appears that London American had made the earlier filing at Martens-Johnson's request.

Staff's calls to London American reveal that coverage is in place, but it appears that London American should have executed the WMATC endorsement, not Martens-Johnson.

Under Regulation No. 58-09, the Commission may, upon thirty (30) days' notice, revoke its approval of any certificate of insurance if, in the judgment of the Commission, such security does not comply with the Commission's regulations or for any reason fails to provide satisfactory or adequate protection for the public. Accordingly, we will revoke respondent's certificate of insurance, effective thirty days after the date of this order.

THEREFORE, IT IS ORDERED:

1. That respondent's certificate of insurance is hereby revoked, effective thirty days after the date of this order.

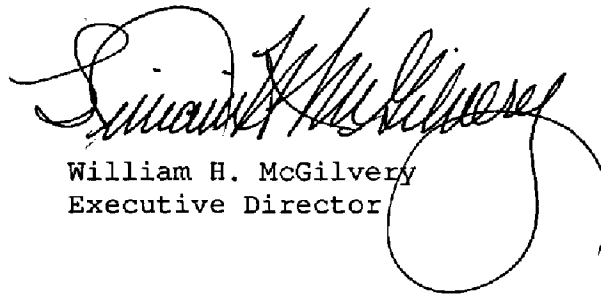
2. That respondent shall have thirty days from the date this order is issued to file a WMATC Certificate of Insurance and Policy Endorsement and establish to the satisfaction of the Commission that

said certificate and endorsement has been executed by a duly authorized agent.

3. That unless respondent complies with the requirements of this order within the time allowed, Certificate of Authority No. 392 shall be invalid and stand automatically suspended pursuant to Article XI, Section 7(g), of the Compact and Commission Regulation No. 58-02, and shall be subject to immediate revocation without further proceedings.

4. That respondent may file within fifteen days from the date of this order a request for oral hearing, indicating the grounds for the request, describing the evidence to be adduced and explaining why such evidence cannot be adduced without an oral hearing.

FOR THE COMMISSION:

A large, stylized handwritten signature in black ink, appearing to read 'William H. McGilvery', is written over the typed name and title. The signature is fluid and cursive, with a large loop at the end.

William H. McGilvery
Executive Director